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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,018	08/10/2006	Shinichi Nishida	1248-0690PUS1	4192
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EXAMINER TRAN, TRANG U				
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NOTIFICATION DATE 06/22/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/589,018

Applicant(s)

NISHIDA ET AL.

Examiner

Trang U. Tran

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 22-23 are rejected under 35 U.S.C. 101 because the claimed invention is direct to non-statutory subject matter as follows. Claims 22-23 define a display control program and a computer-readable recording medium embodying function description material. However, the claimed does not define a non-transitory computer-readable medium or memory and is thus non-statutory for that reason (i.e., "when functional descriptive material is recorded on some non-transitory computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized"- Guidelines Annex IV). That is, the scope of the presently claimed a display

control program and a computer-readable recording medium can range from paper on which the program is written, to a program simply contemplated and memorized by a person.

"In the state of the art, transitory signals are commonplace as a medium for transmitting computer instruction and thus, in the absence of any evidence to the contrary and give the broadest reasonable interpretation, the scope of a "computer readable recording medium" covers a signal per se." In order to overcome the 101, the "computer readable recording medium" should be changed to "non-transitory computer readable recording medium".

Claim Rejections – 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2 and 18-23 are rejected under 35 U.S.C. 102(e) as being anticipate by Gangitano (US Patent No. 6,580,452 B1).

In considering claim 1, Gangitano discloses all the claimed subject matter, note
1) the claimed wireless receiving means for receiving the video signal that is wirelessly transmitted is met by the antenna 12 (Figs. 3-4, col. 2, line 38 to col. 3, line 20), 2) the claimed display means for displaying an image in accordance with at least the video

signal is met by the TV 20 (Figs. 3-4, col. 2, line 38 to col. 3, line 20), 3) the claimed jamming signal detecting means for detecting, in an operating frequency band used for the wireless communication, a jamming signal other than the video signal is met by the signal strength detector 22 which detects the signal strength falls belows an acceptable level (Figs. 3-7, col. 3, line 20 to col. 5, line 46), and 4) the claimed display control means for causing the display means to display, in response to the detection of the jamming signal, jamming signal information indicating presence of the jamming signal is met by the bar graph 24 which will be automatically displayed whenever the received signal strength falls belows an acceptable level (Figs. 3-7, col. 3, line 20 to col. 5, line 46).

In considering claim 2, the claimed wherein: the jamming signal detecting means detects the jamming signal for each communication channel available in the operating frequency band; and the display control means causes the display means to display, as the jamming signal information, information indicating the presence of the jamming signal for said each communication channel is met by the bar graph 24 which will be automatically displayed whenever the received signal strength falls belows an acceptable level (Figs. 3-7, col. 3, line 20 to col. 5, line 46).

Claim 18 is rejected for the same reason as discussed in claim 1 above.

In considering claim 19, the claimed wherein: the jamming signal information outputting means sends the jamming signal information to superimposition display means for displaying the jamming signal information superimposed onto the image displayed by the display means is met by the OSD block 32 which is the bar graph or

the text message may be superimposed over the frozen video image using video mixing technique (Figs. 3-7, col. 4, line 7 to col. 5, line 46).

Claim 20 is rejected for the same reason as discussed in claim 1 above.

In considering claim 21, Gangitano discloses all the claimed subject matter, note 1) the claimed a first step of determining whether or not the video signal that is wirelessly transmitted is unable to be received is met by when the received signal strength falls below an acceptable level, the video image will be freeze (Figs. 6-7, col. 4, line 7 to col. 5, line 46), 2) the claimed a second step of, when it is determined in the first step that the video signal is unable to be received, determining whether or not a signal other than the video signal is detected in an operating frequency band used for the wireless communication is met by the bar graph 24 which will be automatically displayed whenever the received signal strength falls bellows an acceptable level (Figs. 3-7, col. 4, line 7 to col. 5, line 46), and 3) the claimed a third step of carrying out a display in accordance with a result of the determination made in the second step, so as to inform that it is not possible to receive any signal is met by the text message 26 which is display when the receiver 14 no longer detects any signals arriving from antenna 12 (Figs. 6c-7, col. 4, line 7 to col. 5, line 46).

Claim 22 is rejected for the same reason as discussed in claim 21 above.

Claim 23 is rejected for the same reason as discussed in claims 21 and 22 above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gangitano (US Patent No. 6,580,452 B1).

In considering claim 3, Gangitano discloses all the claimed subject matter, note 1) the claimed wherein: the jamming signal detecting means compares a level of the jamming signal with a predetermined level so as to detect a jamming signal level; and the display control means causes the display means to display the jamming signal information in accordance with the jamming signal level communication is met by the bar graph 24 which will be automatically displayed whenever the received signal strength falls below an acceptable level (Figs. 3-7, col. 4, line 7 to col. 5, line 46). However, Gangitano explicitly does not disclose the claimed the jamming signal detecting means compares a level of the jamming signal with a plurality of predetermined levels. The capability using of the jamming signal detecting means compares a level of the jamming signal with a plurality of predetermined levels is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the jamming signal detecting means compares a level of the

jamming signal with a plurality of predetermined levels into Gangitano's system in order to accuracy detecting a received signal strength of a signal received at an antenna.

In considering claim 4, the claimed wherein: the display control means causes the display means to display the jamming signal information numerically in accordance with the jamming signal level is met by the bar graph 24 may be replaced by a display showing a number (col. 3, lines 40-52 of Gangitano).

In considering claim 5, the claimed wherein: the display control means causes the display means to display the jamming signal information graphically in accordance with the jamming signal level is met by the bar graph 24 (col. 3, lines 9-52 of Gangitano).

In considering claim 6, the claimed wherein: the display control means changes a display format, such as a color, of the jamming signal information in accordance with the jamming signal level, and causes the display means to display the jamming signal information in the display format is met by the bar graph 24 (col. 3, lines 9-52 of Gangitano).

In considering claim 7, the claimed wherein: the plurality of predetermined levels are able to be arbitrarily set and changed is met by the acceptable level for viewing may be preset or may be later programmed by a user (col. 4, lines 7-36 of Gangitano).

8. Claims 8-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gangitano (US Patent No. 6,580,452 B1) in view of Ohgami et al. (US Publication No. 2003/0120742 A1).

Considering claim 8, Gangitano discloses all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed a wireless transmitting apparatus for wirelessly transmitting the video signal and a recognition information signal; and a display apparatus, which includes: wireless receiving means for receiving the video signal and the recognition information signal; recognition information detecting means for detecting the recognition information signal. Ohgami et al teach that the video signals 21 transmitted from the home server 5 is input through the aerial portion 71 into the display device 6 in which it is first demodulated by the radio control portion 72 and transferred to the device recognizing/processing portion 721 for recognizing that the correct address of the display device 6 has been attached to the video signals (Fig. 11, page 8, paragraph #0157 to paragraph #0159). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the signal recognizing as taught by Ohgami et al into Gangitano's system in order to capable to recognizing a plurality of the signal conversion devices.

In considering claim 9, the claimed wherein: the jamming signal detecting means detects the jamming signal for each communication channel available in the operating frequency band; and the display control means causes the display means to display, as the jamming signal information, information indicating the presence of the jamming signal for said each channel is met by the bar graph 24 which will be automatically displayed whenever the received signal strength falls bellows an acceptable level (Figs. 3-7, col. 3, line 20 to col. 5, line 46 of Gangitano).

In considering claim 10, Gangitano discloses all the claimed subject matter, note 1) the claimed wherein: the jamming signal detecting means compares a level of the jamming signal with a predetermined level so as to detect a jamming signal level; and the display control means causes the display means to display the jamming signal information in accordance with the jamming signal level is met by the bar graph 24 which will be automatically displayed whenever the received signal strength falls below an acceptable level (Figs. 3-7, col. 4, line 7 to col. 5, line 46). However, the combination of Gangitano and Ohgami et al explicitly does not disclose the claimed the jamming signal detecting means compares a level of the jamming signal with a plurality of predetermined levels. The capability using of the jamming signal detecting means compares a level of the jamming signal with a plurality of predetermined levels is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the jamming signal detecting means compares a level of the jamming signal with a plurality of predetermined levels into the combination of Gangitano and Ohgami et al's system in order to accurately detecting a received signal strength of a signal received at an antenna.

In considering claim 11, the claimed wherein: the display control means causes the display means to display the jamming signal information numerically in accordance with the jamming signal level is met by the bar graph 24 may be replaced by a display showing a number (col. 3, lines 40-52 of Gangitano).

In considering claim 12, the claimed wherein: the display control means causes the display means to display the jamming signal information graphically in accordance with the jamming signal level is met by the bar graph 24 (col. 3, lines 9-52 of Gangitano).

In considering claim 13, the claimed wherein: the display control means changes a display format, such as a color, of the jamming signal information in accordance with the jamming signal level, and causes the display means to display the jamming signal information in the display format is met by the bar graph 24 (col. 3, lines 9-52 of Gangitano).

In considering claim 14, the claimed wherein: the plurality of predetermined levels are able to be arbitrarily set and changed is met by the acceptable level for viewing may be preset or may be later programmed by a user (col. 4, lines 7-36 of Gangitano).

In considering claim 15, the claimed wherein: when the recognition information detecting means detects another recognition information signal different from the recognition information signal transmitted from the wireless transmitting apparatus, the display control means causes the display means to display, as the abnormality information, information indicating that there is another wireless transmitting apparatus transmitting said another recognition information signal is met by the recognizing portion 631 (Figs. 3-4, page 4, paragraph #0072 to page 5, paragraph #0090 of Ohgami et al).

In considering claim 16, the claimed wherein: when the recognition information detecting means does not detect said another recognition information signal different

from the recognition information signal transmitted from the wireless transmitting apparatus, the jamming signal detecting means carries out detection of the jamming signal is met by the signal strength detector 22 which detects the signal strength falls bellows an acceptable level (Figs. 3-7, col. 3, line 20 to col. 5, line 46 of Gangitano).

In considering claim 17, the claimed wherein: when the jamming signal detecting means does not detect the jamming signal, the display control means causes the display means to display, as the abnormality information, information indicating that it is not possible to receive any signal is met by the text message 26 which is display when the receiver 14 no longer detects any signals arriving from antenna 12 (Figs. 6c-7, col. 4, line 7 to col. 5, line 46 of Gangitano).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jutzi (US Patent No. 7,275,254 B1) discloses method and apparatus for determining and displaying the service level of a digital television broadcast signal.

Yoshizawa et al. (US Patent No. 7,019,791 B2) disclose video processing device.

Krishnamurthy et al. (US Patent No. 6,704,557 B1) disclose system and method for protecting a receiver from jamming interference.

Fitrاندolph (US Patent No. 6,944,422 B2) discloses method and device for detecting an interference condition.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 9:00 AM - 6:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 11, 2010

/Trang U. Tran/
Primary Examiner, Art Unit 2622